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8	BOARD OF REGISTERED NURSING	
9	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA	
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11	In the Matter of the Accusation Against: Case No. 2013 - 602	
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13	354 Brand Road Bulverde, Texas 78163 A C C U S A T I O N	
14	Registered Nurse License No. 479184	
15	Respondent.	
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20	1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in h	er
21	official capacity as the Executive Officer of the Board of Registered Nursing, Department	of
22	Consumer Affairs.	
	2. On or about May 31, 1992, the Board of Registered Nursing issued Registered	Nurse
23	License Number 479184 to Debra Olivia Anker (Respondent). The Registered Nurse Lice	nse
24	expired on June 30, 2012, and has not been renewed.	
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JURISDICTION

- 3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.
- 4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
- 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.
- 6. Section 118, subdivision (b), of the Code provides that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

STATUTORY PROVISIONS

7. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- "(a) Unprofessional conduct, which includes, but is not limited to, the following:
- "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action."

COST RECOVERY

8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

CAUSE FOR DISCIPLINE

(Unprofessional Conduct - Out of State Discipline) (Bus. & Prof. Code § 2761, subd. (a)(4))

- 9. Respondent has subjected her registered nurse license to disciplinary action under Code section 2761, subdivision (a)(4), in that on or about September 25, 2012, in a disciplinary action before the Texas Board of Nursing (Texas Board), the Texas Board entered an Order accepting Respondent's voluntary surrender of her Texas registered nurse license. The circumstances of the Board's Order are as follows:
- 10. On or about February 22, 2011, while working as a pre-operative nurse at Methodist TexSan Heart Hospital in San Antonio, Texas, Respondent administered 100 milliliters of Insulin to a patient without a physician's order. The patient was a pre-operative coronary artery bypass patient. As a result, during the patient's surgery, the patient required multiple doses of Dextrose 50 to counteract the hypoglycemia caused by the overdose of insulin. Dextrose 50 is a solution of dextrose dissolved in water. It is typically used in emergency situations to treat hypoglycemia or abnormally low blood sugar levels.
- 11. The Texas Board's Order concluded that Respondent's conduct was likely to injure the patient in that the administration of an insulin drip to the patient without a physician's order may have resulted in the patient suffering from hypoglycemia. The Order further concluded that the evidence received by the Texas Board was sufficient cause to take disciplinary action against Respondent's license, including revocation. The Texas Board filed and mailed Formal Charges to Respondent on or about July 30, 2012. On or about September 21, 2012, the Texas Board

1	received a notarized statement from Respondent affirming her desire to voluntarily surrender her
2	right to practice nursing in Texas. As a result, the Board entered the above Order.
3	<u>PRAYER</u>
4	WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this
5	Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:
6	1. Revoking or suspending Registered Nurse License Number 479184, issued to Debra
7	Olivia Anker;
8	2. Ordering Debra Olivia Anker to pay the Board of Registered Nursing the reasonable
9	costs of the investigation and enforcement of this case, pursuant to Business and Professions
0	Code section 125.3; and
1	3. Taking such other and further action as deemed necessary and proper.
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4	DATED: JANJARY 31, 2013 Jouise L. Bailey
5	LØUISE R. BAILEY, M.ED., RN Executive Officer
6	Board of Registered Nursing Department of Consumer Affairs
7	State of California Complainant
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